

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

ELVIA M. JOHNSON, for)	
ASHLEY R. ROBERTS,)	
)	
Plaintiff,)	
)	Civil Action No. 06-88
v.)	
)	Judge Joy Flowers Conti
JO ANNE B. BARNHART,)	
Commissioner of)	
Social Security,)	
)	
Defendant.)	

MEMORANDUM ORDER

Plaintiff's Complaint was filed by the Clerk of Court on February 16, 2006 and was referred to United States Magistrate Judge Lisa Pupo Lenihan for pretrial proceedings in accordance with the Magistrate's Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Magistrate Judge's Report and Recommendation (Doc. No. 17) filed on February 22, 2007, recommended that the Motion for Summary Judgment (Doc. No. 11) filed by Plaintiff be denied. It further recommended that the Motion for Summary Judgment (Doc. No. 14) filed by Defendant be granted and that the decision of the Commissioner denying child's Supplemental Security Income (SSI) benefits to the minor Plaintiff be affirmed. Service was made on all counsel of record and on Elvia Johnson, pro se. The parties were informed that in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1)(B) and (C), and Rule 72.1.4(B) of

the Local Rules for Magistrates, that they had ten (10) days to file any objections. No objections have been filed. After review of the pleadings and the documents in the case, together with the Report and Recommendation, the following Order is entered:

AND NOW, this 29th day of March, 2007;

IT IS HEREBY ORDERED that Plaintiff's Motion for Summary Judgment (Doc. No. 11) is denied, and Defendant's Motion for Summary Judgment (Doc. No. 14) is granted

IT IS FURTHER ORDERED that the Report and Recommendation (Doc. No. 17) of Magistrate Judge Lenihan, dated February 22, 2007, is adopted as the Opinion of the Court.

/s/ Joy Flowers Conti
Joy Flowers Conti
United States District Judge

cc: The Honorable Lisa Pupo Lenihan
United States Magistrate Judge

Elvia M. Johnson
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Pro Se

All counsel of record